

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

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4                   UNITED STATES OF AMERICA,

Case No. 2:14-cr-00206-APG-CWH

5                                   Plaintiff,

**ORDER TERMINATING SUPERVISED  
RELEASE**

6                                   v.

7                   LESLIE M. KOTLER,

8                                   Defendant.  
9

10           Defendant Leslie Kotler moves for early termination of supervised release. ECF No. 48.  
11   The United States Attorney and the United States Probation Office do not oppose. *Id.* at 7.  
12   Modification or termination of supervised release is governed by 18 U.S.C. § 3583(e), which  
13   requires me to consider the defendant's conduct and the interests of justice. I also must consider  
14   "the factors set forth in section 3553 (a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6),  
15   and (a)(7)." After examining those section 3553 factors, I may terminate probation "if [I am]  
16   satisfied that such action is warranted by the conduct of the defendant released and the interest of  
17   justice." 18 U.S.C. § 3583(e)(1). Early termination is not the norm.

18           Dr. Kotler was convicted of tax evasion and sentenced to 13 months in custody. Since  
19   his release from custody, he has complied with all conditions of supervised release. Dr. Kotler is  
20   gainfully employed and seeks termination of supervision so he can increase his dental practice.

21           I believe Dr. Kotler is rehabilitated. The public is not in need of protection from him, and  
22   continued supervision will not provide any additional deterrence to him committing crimes in the  
23   future. 18 U.S.C. § 3553(b)(2)(B), (C). As for the policy statements issued by the Sentencing

1 Commission (18 U.S.C. §3553(a)(5)), Application Note 5 to United States Sentencing Guideline  
2 § 5D1.2 states that “[t]he court is encouraged to exercise this authority [to terminate early  
3 release] in appropriate cases.” This is an appropriate case.

4 Because of the circumstances of this case, the interests of justice are served by the early  
5 termination of supervised release. I will grant the motion.

6 The defendant’s motion for early termination of supervised release (**ECF No. 48**) is  
7 **GRANTED.**

8 DATED this 21st day of December, 2018.

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12 ANDREW P. GORDON  
13 UNITED STATES DISTRICT JUDGE  
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